

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Bobby Tate Bowman,

Plaintiff,

v.

Civil No. 10-1946 (JNE/SER)
ORDER

Wyeth, LLC; Wyeth Pharmaceuticals, Inc.;
and Teva Pharmaceuticals USA, Inc.,

Defendants.

On February 24, 2011, the Court stayed this action pending resolution by the United States Supreme Court of the appeals from the judgments in *Mensing v. Wyeth, Inc.*, 588 F.3d 603 (8th Cir. 2009), and *Demahy v. Actavis, Inc.*, 593 F.3d 428 (5th Cir. 2010). On June 23, 2011, the Supreme Court reversed the Fifth and Eighth Circuits, and remanded the cases for further proceedings. *PLIVA, Inc. v. Mensing*, 131 S. Ct. 2567 (2011). On remand, the Eighth Circuit reopened *Mensing v. Wyeth, Inc.*, No. 08-3850. Two motions, filed in September 2011, are pending before it.

In this case, the Court lifted the stay on August 23, 2011. A telephonic status conference took place on September 22, 2011. For the reasons stated on the record, the Court stays this action pending final resolution by the Eighth Circuit of *Mensing v. Wyeth, Inc.*, No. 08-3850.

IT IS SO ORDERED.

Dated: September 27, 2011

s/ Joan N. Ericksen
JOAN N. ERICKSEN
United States District Judge